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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
DENNIS COLLINS, CHRISTOPHER)
WAYNE COOPER, JOSHUA JOHN)
COVELLI, KEITH WILSON DOWNEY,)
MERCEDES RENEE HAEFER,)
DONALD HUSBAND, VINCENT)
CHARLES KERSHAW, ETHAN MILES,)
JAMES C. MURPHY, DREW ALAN)
PHILLIPS, JEFFREY PUGLISI,)
DANIEL SULLIVAN, TRACY ANN)
VALENZUELA, AND CHRISTOPHER)
QUANG VO,)
)
Defendants.)

No. CR 11-00471-DLJ

**STIPULATION AND ☐ ORDER CONTINUING STATUS
CONFERENCE FROM JUNE 20, 2013
TO JULY 25, 2013 AND EXCLUDING
TIME FROM JUNE 20, 2013 TO JULY
25, 2013, FROM CALCULATIONS
UNDER THE SPEEDY TRIAL ACT (18
U.S.C. § 3161)**

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The parties hereby request that the Court enter this order vacating the status conference
in this matter scheduled for June 20, 2013, setting a further status conference/potential change of

plea hearing for July 25, 2013, and excluding time from June 20, 2013 through July 25, 2013.

The parties, including the defendants, stipulate as follows:

1. Defendants understand and agree to the exclusion of time from calculations under the Speedy Trial Act, 18 U.S.C. § 3161, from June 20, 2013 through July 25, 2013, based upon the need for the defense counsel to investigate further the facts of the present case. The government has provided considerable discovery in the present case, and defense counsel need time to review the discovery, evaluate further possible defenses and motions available to the defendant. Moreover, the parties are continuing to discuss a potential global disposition and need additional time to complete those discussions. Judge Beeler has ordered a Further Settlement Conference for the first week in July 2013 to assist in facilitating those discussions.
2. The attorney for defendants join in the request to exclude time under the Speedy Trial Act, 18 U.S.C. § 3161, for the above reasons, and believe the exclusion of time is necessary for effective preparation of the defense; believe the exclusion is in the defendant's best interests; and further agree that the exclusion under the Speedy Trial Act, 18 U.S.C. § 3161, should be from June 20, 2013 through July 25, 2013.

Given these circumstances, the parties believe, and request that the Court vacate the June 20, 2013 status conference, set July 25, 2013 as a further status/potential change in plea hearing and find, that the ends of justice are served by excluding from calculations the period from June 20, 2013 through July 25, 2013, outweigh the best interests of the public and the defendant in a speedy trial under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).

IT IS SO STIPULATED.

DATED: 6/7/13

/s/
PETER LEEMING

DATED: 6/7/13

/s/
W. MICHAEL WHELAN

DATED: 6/7/13

/s/
THOMAS NOLAN

1 DATED: 6/7/13

/s/
JOHN M. HAMASAKI

2 DATED: 6/7/13

/s/
STANLEY L. COHEN

3 DATED: 6/7/13

/s/
EAN VIZZI

4 DATED: 6/7/13

/s/
OMAR FIGUEROA

5 DATED: 6/7/13

/s/
GRAHAM ARCHER

6 DATED: 6/7/13

/s/
ROBERT CAREY

7 DATED: 6/7/13

/s/
GEORGE BOISSEAU

8 DATED: 6/7/13

/s/
JOHN D. LUECK

9 DATED: 6/7/13

/s/
MICHELLE SPENCE

10 DATED: 6/7/13

/s/
JAMES McNAIR THOMPSON

11 DATED: 6/7/13

/s/
ALEXIS BRIGGS

12 DATED: 6/7/13

/s/
MATTHEW A. PARRELLA
HANLEY CHEW
Assistant United States Attorney

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20 **[] ORDER**

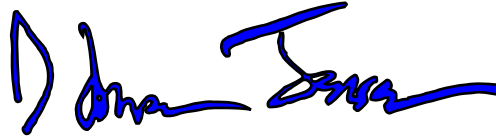
21 Having considered the stipulation of the parties, the Court finds that: (1) the defendant
22 understands and agrees to the exclusion of time from calculations under the Speedy Trial Act, 18
23 U.S.C. § 3161, from June 20, 2013 through July 25, 2013 based upon the need for the defense
24 counsel to investigate further the facts of the present case, review the discovery that the
25 government has already provided and evaluate further possible defenses and motions available to
26 the defendant; (2) the exclusion of time is necessary for effective preparation of the defense and
27 is in the defendant's best interests; and (3) the ends of justice are served by excluding from
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calculations the period from June 20, 2013 through July 25, 2013.

Accordingly, the Court further orders that (1) the status conference in this matter scheduled for June 20, 2013 is vacated; (2) a further status conference/potential change of plea hearing is scheduled for July 25, 2013; and (3) the time from June 20, 2013 through July 25, 2013 is excluded from time calculations under the Speedy Trial Act, 18 U.S.C. § 3161.

IT IS SO ORDERED.

DATED: 1 11 2013



THE HONORABLE D. LOWELL JENSEN
United States District Court Judge